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[Proposed] Lead Counsel

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

PETER RUDOLPH, individually and on behalf of all others similarly situated,

Plaintiff,

VS.

UT STARCOM, HONG LIANG LU,  
MICHAEL SOPHIE, THOMAS TOY, and  
FRANCIS BARTON,

Defendants.

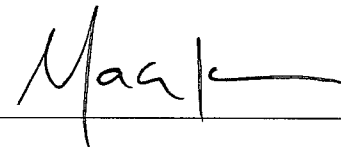
Case No. 3:07-CV-04578-SI

**DECLARATION OF MARK  
PUNZALAN IN SUPPORT OF MOTION  
TO APPOINT JAMES R.  
BARTHOLOMEW AS LEAD  
PLAINTIFF AND FOR APPROVAL OF  
LEAD PLAINTIFF'S SELECTION OF  
LEAD COUNSEL**

1 I, Mark Punzalan, hereby affirm and aver under penalty of perjury that the following is true  
2 and correct to the best of my knowledge, information and belief:

- 3 1. I am an attorney-at-law with Finkelstein Thompson LLP. I am a member in good  
4 standing of the California State Bar and am admitted to practice before the United  
5 States District Court for the Northern District of California.
- 6 2. Attached hereto as Exhibit A is a true and correct copy of the Plaintiff Certification  
7 of plaintiff and movant James R. Bartholomew.
- 8 3. Attached hereto as Exhibit B is a true and correct copy of a press release dated  
9 September 5, 2007, published by the law firm of Finkelstein Thompson LLP  
10 announcing the pendency of the action against UTStarcom.
- 11 4. Attached hereto as Exhibit C is a true and correct copy of an analysis reflecting the  
12 losses suffered by plaintiff and movant James R. Bartholomew in connection with  
13 his purchases of UTStarcom securities.
- 14 5. Attached hereto as Exhibit D is a true and correct copy of the firm resume of the  
15 law firm of Finkelstein Thompson LLP.  
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19 Sworn and subscribed under penalty of perjury this 5th day of November, 2007

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23 Mark Punzalan  
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